

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

SHAWNA TAYLOR,
Plaintiff,

v.

Case No. 3:11-cv-00590-JAG

ACAC, INC.,
and JOEY EDWARDS,
Defendants.

ORDER

This matter comes before the Court on the plaintiff's motion for default judgment as to the defendant, Joey Edwards. (Dk. No. 40.) The Court will enter judgment in the amount of \$15,518.13, reflecting an award of \$1,000.00 in statutory damages, \$814.38 in costs, and \$13,703.75 in attorney's fees.

On March 27, 2012, the Clerk entered a default against Edwards, who had not answered in a timely manner. (Dk. No. 31.)

This case arises under the Fair Debt Collections Practices Act (FDCPA). 15 U.S.C. § 1692 *et seq.* The FDCPA authorizes the award of statutory damages against Edwards, in an amount up to \$1,000.00. 15 U.S.C. § 1692k(a)(2)(A). Given that the defendant unlawfully took the plaintiff's car, the Court deems an award of \$1,000 in statutory damages appropriate. 15 U.S.C. § 1692k(b)(1) (authorizing damages based on the "nature of [the] noncompliance").

By affidavit, plaintiff's counsel has indicated that the plaintiff incurred costs in the amount of \$814.38, which the Court deems appropriate and awards. *See* 15 U.S.C. § 1692k(a)(3).

The plaintiff also seeks an award of attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3). Plaintiff's counsel seeks payment at an hourly rate of \$425.00 for himself. Other judges of this Court have approved this rate for counsel in prior litigation. The undersigned is aware of the rates typically charged in this district by attorneys with counsel's experience in consumer cases, and finds that \$425.00 is a reasonable hourly rate. The Court is also aware of the rates typically charged for the work of paralegals in this district, and finds that the rate of \$125.00 is an appropriate rate for plaintiff's counsel's paralegal.

The Court has reviewed the time records submitted by plaintiff's counsel and finds them reasonable. In addition, the Court finds that plaintiff's counsel has exercised billing discretion by reducing his invoice by five percent. Multiplying the hourly rate by the hours worked, and reducing the bill by five percent produces a reasonable fee request of \$13,703.75, which the Court awards.

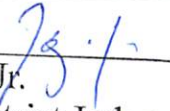
The Court thus awards judgment to the plaintiff in the amount of \$15,518.13.

The Court awards interest on the total judgment at the federal judgment rate.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: January 15, 2013
Richmond, VA

/s/ 
John A. Gibney, Jr.
United States District Judge